



THE BILLFISH FOUNDATION

CONSERVATION THROUGH RESEARCH, EDUCATION AND AWWOCACY

2161 E. Commercial Blvd., 2nd Floor • Fort Lauderdale, Florida 33308

177 Riverside Ave., Suite F, #1034 • Newport Beach, California 92663

(954) 938-0150. (800) 438-8247 • Fax (954) 938-5311

Website: www.billfish.org • E-mail: tbf@billfish.org

May 28, 2002

Chris Rogers, Chief
Highly Migratory Species Management Division
Office of Sustainable Fisheries (F/SF1)
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910-3282

Transmitted Via Facsimile

Ref.: Proposed Rule

Atlantic HMS Angling Vessel Permits

Dear Chris,

The Billfish Foundation (TBF) is pleased to have the opportunity to comment on the proposed regulations to extend the permit requirement to all recreational vessels fishing for any HMS regulated under the HMS and Billfish FMPs. Unfortunately, the agency has done a disservice to itself and has generated additional mistrust among constituents by failing to highlight this issue on the agenda at the recent meeting of the HMS and Billfish Advisory Panels (APs). Releasing the proposed rule so soon after that meeting gives some of us on the Panels and our constituents the impression that meaningful input is not desired by the agency for the decision must be made and this is merely a perfunctory exercise. This is further exacerbated by the fact that there were extremely few meetings scheduled for public comment. We can appreciate the agency's concerns for fiscal efficiency for public meetings; however, this should have been combined with the proposed swordfish bag limit proposed rule, even if the former had to be postponed until April or May.

TBF is supportive of the need for and the U.S. commitment to ICCAT to improve monitoring of the recreational effort and landings. However, requiring a vessel permit would not provide data on the catch and bycatch in the HMS fisheries. Obviously, it could produce a list of permitted vessels from which the agency could seek to obtain reports of landings and bycatch.

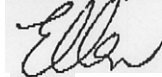
Identifying the universe of saltwater angling vessels could be obtained from states' vessel registration databases by identifying a minimum size range for offshore fishing, such as 20 feet and above. This would relieve the angler from the regulatory burden of having to register for the permit and renew each year. The burden on your agency would likely also be simplified for there would be fewer contacts by restricting it to federal agency to state agencies to obtain state-issued permit data. Further data as to the universe of the angling fishery could be extracted from saltwater fishing licenses

issued by the states.

Chris, TBF appreciates the opportunity to comment, but wish more effort **had been** expended to solicit comments. We anticipate that many anglers **are** going to be very surprised to learn of this new requirement •• we **fully** anticipate you will soon announce the proposed rule **has** been finalized and will be implemented within 31 days.

While we realize comments from the angling **community to the proposed listing of white marlin under** ESA is handled by the Office of Protected Species, and not the HMS **Office**, anglers do not make the distinction. The anxiety already in the angling community **surrounding** the possible listing is intense, to say the least. Adding the requirement for a permit for HMS private angling vessels during that process, no doubt, will generate ill-will and does little to engender a spirit of cooperation. It is **important** to **try** to explain to constituents how and why a new regulatory action will benefit the fish stocks, and thus, fishing. Without success in that effort, many in the angling community view regulatory exercises **often** as poorly founded and punitive in nature. TBF aims to try to gain the cooperative support of our constituents and we have found they will enthusiastically embrace the call for assistance if the fish and fishing benefit.

Sincerely,



Ellen M. Peel
President